IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 27068 of 2007(V)

PETITIONER:

C.R.MOHAN ROY, AGED 57 YEARS,
S/O SRI. C.R.RAMAN, CHANDRASSERIYIL HOUSE,
MADAPLATHURUTH, MOOTHAKUNNAM P.O.,
ERNAKULAM DIST.(EX. ASSISTANT EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY, KANNUR)

BY ADV. SRI.M.R.GOPALAKRISHNAN NAIR

RESPONDENTS:

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1. THE KERALA WATER AUTHORITY,
REPRESENTED BY THE MANAGING DIRECTOR,
JALABHAVAN, THIRUVANANTHAPURAM.

2. THE EXECUTIVE ENGINEER,
WATER SUPPLY PROJECT DIVISION,
KERALA WATER AUTHORITY, KANNUR.

3. THE EXECUTIVE ENGINEER,
P.H.DIVISION, KERALA WATER AUTHORITY,
ALUVA.

4. THE ASSISTANT EXECUTIVE ENGINEER,
P.H.SUB DIVISION, KERALA WATER AUTHORITY,
ALUVA.

BY ADV. SRI.J.KRISHNA KUMAR, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO.27068 of 2007

Dated this the 25th day of October, 2007

JUDGMENT

The petitioner retired on 30.9.2005 as an Assistant Executive Engineer. His grievance is that the retirement benefits due to him have not been disbursed so far.

2. In a statement filed by the Water Authority, it is stated that the liability of Rs.2855/= towards shortage of materials was settled by the petitioner on 8.3.2007. Therefore, there is no further action pending in that regard. But there is delay in the disbursal of pension and other retiral benefits due to the pendency of Writ Petition No.8460/2006, stated to have been filed by a Contractor. In my view, the pendency of the writ petition, filed by the Contractor against the Water Authority, cannot be an adequate reason by itself, to delay the disbursal of DCRG due to the petitioner.

3. After having heard the learned counsel for the petitioner and the learned Standing counsel for the Water Authority, the writ petition is disposed of in the following terms:

1) The first respondent shall take an appropriate decision finalising the liability, if any, incurred by the petitioner under all counts, within a period of three months from the date of receipt of a copy of this judgment.

2) If it is found that there is no further liability, the amount due to the petitioner by way of DCRG will be disbursed to him within a period of two weeks thereafter.

3) The first respondent shall take steps to see that pension due to the petitioner is paid with effect from one month from the date of receipt of a copy of this judgment.

V. GIRI, JUDGE

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